



W.P.Nos.25877 of 2022 etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.19340 and 19345 of 2023
and
W.M.P.Nos.18613 and 18619 of 2023

M/s.Ariya Plastics,
Plot No.J-1,(Northern Part),
Sipcot Industrial Growth Centre,
NH-47 Road, PERUNDURAI,
Erode – 638052,
Repd. By its Managing Partner
M.P.A.Mahalingam

... Petitioner in W.P.No.19340 of 2023

Samba Publishing Company (P) Ltd.,
No.152 Peters Road,
Chennai – 600 086,
Repd. By its Director,
M.Kuppusamy.

... Petitioner in W.P.No.19345 of 2023

Vs.

1.Tamil Nadu Electricity Regulatory
Commission, repd. by its Secretary,
19-A, Rukmini Lakshmipathi Salai,
(Marshall's Road),
Egmore, Chennai – 600 008.

2.The Chairman,
Tamil Nadu Generation and Distribution



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Corporation Limited, 144, Anna Salai,
Chennai – 600 002.

3. Director Finance,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
Chennai – 600 002. ... Respondents 1 to 3 in both W.P.s

4. The Superintending Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
Erode.

5. The Superintending Engineer,
TANGEDCO,
Palladam Electricity Distribution Circle,
Palladam.

6. The Superintending Engineer,
TANGEDCO,
Coimbatore South Electricity Distribution Circle,
Coimbatore. ... Respondents 4 to 6 in W.P.No.19340 of 2023

7. The Superintending Engineer,
TANGEDCO,
Dindugal Electricity Distribution Circle,
Dindugal.

8. The Superintending Engineer,
TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Tirunelveli. ... Respondents 4 & 5 in W.P.No.19345 of 2023

Prayer in W.P.No.19340 of 2023: Writ Petition filed under Article 226
of the Constitution of India for issuance of a Writ of Mandamus,



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forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the 4th respondent makes payment of the outstanding dues of Rs.10,31,818/- (for the year of 2021 – 2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

Prayer in W.P.No.19345 of 2023: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents and their men, agents from collecting current consumption charges, demand charges and any arrears from the petitioner until the respondents makes payment of the outstanding dues of Rs.18,10,341/- (for the year of 2021 – 2023) payable to the petitioner or give adjustment in the current consumption charges payable by the petitioner till the entire amount is adjusted.

For Petitioner : Mr.S.Lakshmipathy

For Respondents : Mr.I.Syed
in W.P.No.19340 Sibghatulla
of 2023

For Respondents : Mr.S.Madhusudanan
in W.P.No.19345
of 2023

COMMON ORDER

When these matters are taken up for hearing, the learned counsel for the petitioners fairly conceded that the issue arises in these writ



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petitions have already been decided by the learned Single Judge of this Court in W.P.Nos.6776 of 2018 etc., batch. Therefore, he prayed that the similar relief may be granted to the petitioners herein.

2. In view of the fair stand taken by the learned counsel for the parties, the learned Single Judge of this Court in W.P.Nos.6776 of 2018 etc., batch, by order dated 28.10.2021, in the case of ***M/s.Rajaguru Spinning Mills P. Ltd., Vs. The Tamil Nadu Electricity Regulatory Commission & 3 Ors.***, in identical circumstances held as under :

*“11. In view of the above, all these **Writ Petitions are Disposed of** with the following directions:-*

(a) In all those cases where the TANGEDCO has acted upon the interim orders passed by this Court and the entire outstanding amounts due and payable has been adjusted, those writ petitions will be rendered infructuous since the grievance of those petitioners stands redressed;

(b) In those cases where the TANGEDCO is in the process of adjusting the outstanding amount due, such adjustment shall be continued till the entire outstanding amount is adjusted towards the current consumption charges / open access charges payable by



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the respective petitioners and

(c) The TANGEDCO shall not take any coercive steps to disconnect the electricity connection to the petitioners until the outstanding amounts due and payable is completely adjusted towards the current consumption charges/ open access charges payable by the petitioners. ”

3. In view of the above, nothing survives for adjudication in these matters. Accordingly, the writ petitions are disposed of in the aforesaid terms. No Costs. Consequently, the connected miscellaneous petitions are closed.

30.06.2023

(rap)

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No



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To

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Tamil Nadu Electricity Regulatory Commission,
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(Marshall's Road),
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2. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, 144, Anna Salai,
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M.DHANDAPANI, J.

(rap)

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